

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	
UNITED STATES OF AMERICA	:	<u>SUPERSEDING INFORMATION</u>
	:	
- v. -	:	S3 20 Cr. 440 (JGK)
	:	
ARIK LEV,	:	
	:	
Defendant.	:	
	:	
- - - - -	X	

COUNT ONE

(Conspiracy to Commit Bank Fraud and Wire Fraud)

The Acting United States Attorney charges:

1. From at least in or about January 2018 up to and including at least in or about November 2019, in the Southern District of New York and elsewhere, ARIK LEV, the defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, wire fraud, in violation of Title 18, United States Code, Section 1343, and bank fraud, in violation of Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that ARIK LEV, the defendant, and others known and unknown, willfully and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the

deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

3. It was a further part and an object of the conspiracy that ARIK LEV, the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire and radio communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Overt Act

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about February 16, 2018, ARIK LEV, the defendant, caused to be submitted an electronic loan application for a vehicle purchase on behalf of a straw purchaser that contained false and fraudulent misrepresentations, after causing the straw purchaser to travel through the Southern District of New York to the car dealership at which the loan application was prepared and submitted.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATION

5. As a result of committing the offense alleged in Count One of this Information, ARIK LEV, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2)(A), and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

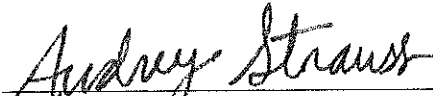
6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982;
Title 28, United States Code, Section 2461;
Title 21, United States Code, Section 853.)


AUDREY STRAUSS
Acting United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ARIK LEV,

Defendant.

SUPERSEDING INFORMATION

S3 20 Cr. 440 (JGK)

(18 U.S.C. § 371.)

AUDREY STRAUSS

Acting United States Attorney

12/7/2020
D
FILED WAIVER OF INDICTMENT AND SUPERSEDING INFORMATION.
DEFT LEV ARRIGNED ON SUPERSEDING INFORMATION.
DEFT LEV PRES V/ATTY ALAN VINEGARDO. ADVIA JACOB FIDDELMAN.
REPORTER PRES. DEFT LEV CHANGES PLEA OF NOT GUILTY
AND PLEADS GUILTY TO SUPERSEDING INFORMATION (S3)
SENTENCE DATE 4/15/2021 AT 2:30PM. PSI ORDERED.
BAIL CONFID. PROCEEDINGS VIA VIDEO. (45 MINUTES)

- JUDGE ROBERT